



**GROWTH AND ENVIRONMENTAL MANAGEMENT
CONCURRENCY AGREEMENT FOR SUMMERFIELD PUD**

This Agreement is entered into between Summerfield PUD, LLC & Summerfield PUD II, LLC ("Owner/Designated Agent") and the County of Leon in the State of Florida, through Growth and Environmental Management ("GEM"), subject to all other governmental approvals and solely at the risk of the Owner/Designated Agent.

WHEREAS, GEM is the County growth management agency having the power and duty to exercise general supervision of the administration and enforcement of the Leon County Code of Laws pertaining to the Tallahassee-Leon County 2010 Comprehensive Plan, Land Development Regulations, Concurrency Management Ordinance, and the Leon County Concurrency Policies and Procedures Manual; and

WHEREAS, GEM is authorized to enter into a Concurrency Agreement pursuant to the Leon County Concurrency Policies and Procedures Manual.

NOW, THEREFORE, for and in consideration of the mutual promises and premises set forth herein, the parties agree as follows:

1. The Owner/Designated Agent, a company or individual which is seeking Final Site and Development Plan Approval for Summerfield PUD, a Mixed Use Development, Tax Parcel Identification Number(s) 21-04-51-000-012-0 and 21-04-51-000-012-2, located in Leon County, Florida, more particularly described in Exhibit "A" to this Agreement which is attached hereto and made part hereof.

2. The proposed project significantly impacts Segment 91800 Capital Circle -- I-10 to Fred George Road; Segment 94950 North Monroe -- Sam's/Sessions to Fred George Road, segments outside of the Primary Transportation Impact Network that are identified as operating below the adopted Level of Service (LOS) in the Leon County Concurrency Management System or classified as capacity constrained pursuant to the conditions set forth in the Tallahassee-Leon County Comprehensive Plan.
3. The Owner/Designated Agent agrees to pay a sum of \$11,700.00, which is the pro rata share of the costs of installation of mast arm traffic signals at the intersection of Fred George Road and North Monroe Street as determined by the HNTB Corporation, more particularly described in Exhibit "B" to this Agreement which is attached hereto and made part hereof.
4. In coordination with Leon County Public Works, reconstruct the approach lanes on Fred George Road to the intersection with North Monroe Street substantially in accordance with the Conceptual Proposed Mitigation Plan prepared by Robert B. Sellers, P.E. marked as Exhibit "C" to this Agreement which is attached hereto and made a part hereof. This commitment to construct the above described improvements is in lieu of paying the pro rata share of improving this intersection and the pro rata share for the impact to Segment 91800. These proposed improvements are those required to bring the significantly affected segment(s) into compliance with the adopted LOS as identified in the Tallahassee-Leon County Comprehensive Plan. This improvement must be under construction prior to the issuance of any Certificate of Occupancy.
5. The FINAL Certificate of Concurrency issued for this project shall be for a term of ten (10) years from the effective dates hereof.
6. The obligation of this agreement shall remain in full force and effect in the event the property which is the subject of the agreement, or any portion thereof, is annexed into the City of Tallahassee.

7. If reasonable adjustments in the Agreement are required to complete the project in a satisfactory manner, this Agreement may be amended if agreed to in advance by the Owner/Designated Agent and Leon County.
8. This agreement shall be effective upon the date all parties hereto have executed the same.

LEON COUNTY, FLORIDA

By: _____
Chairman, Board of County Commissioners

By: _____
Witness

By: _____
Property Owner or Designated Agent

By: _____
Witness

APPROVED AS TO FORM:

By: _____
Herb W. A. Thiele, County Attorney

**STATE OF FLORIDA
COUNTY OF LEON**

The foregoing instrument was acknowledged before me this _____ day of _____, 2005 by _____, who is personally known to me or has produced _____ as identification and did (did not) take an oath.

Signature of Notary Public

Sign or Print Name

November 26, 2004
Summerfield
Allen Nobles & Associates, Inc.
Project Number 4444.001

Summerfield PUD, LLC

COMMENCE at a concrete monument marking the northeast corner of Lakeside, a subdivision as per map or plat thereof recorded in Plat book 11, Page 26 of the Public Records of Leon County, Florida, said point lying on the southerly right of way boundary of State Road 63 (U.S. Highway 27) as per the Florida Department of Transportation Right of Way Map, Section Number 55010-2501, last dated July 12, 1962, and thence run Southeasterly along said southerly right of way as follows: South 42 degrees 56 minutes 18 seconds East 775.01 feet to a point of curve to the right; thence run Southeasterly along said curve having a radius of 11,359.20 feet, through a central angle of 01 degrees 20 minutes 36 seconds, for an arc distance of 266.30 feet; thence run South 48 degrees 28 minutes 52 seconds West 20.00 feet to a point lying on a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,339.20 feet, through a central angle of 03 degrees 38 minutes 33 seconds, for an arc distance of 720.88 feet (the chord of said arc bears South 39 degrees 41 minutes 52 seconds East 720.76 feet) to the POINT OF BEGINNING; thence continue along said southerly right of way of State Road 63 (U.S. Highway 27) and along said curve concave southwesterly having a radius of 11,339.20 feet, through a central angle of 00 degrees 21 minutes 27 seconds, for an arc distance of 70.74 feet (the chord of said arc bears South 37 degrees 41 minutes 52 seconds East 70.74 feet); thence run North 52 degrees 28 minutes 52 seconds East 20.00 feet to a point lying on a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,359.20 feet, through a central angle of 01 degrees 30 minutes 00 seconds, for an arc distance of 297.38 feet (the chord of said arc bears South 36 degrees 46 minutes 08 seconds East 297.37 feet); thence run South 53 degrees 58 minutes 52 seconds West 20.00 feet to a point lying a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,339.20 feet, through a central angle of 02 degrees 21 minutes 24 seconds, for an arc distance of 466.42 feet (the chord of said arc bears South 34 degrees 50 minutes 26 seconds East 466.39 feet) to a point of tangency; thence run South 33 degrees 39 minutes 44 seconds East 128.64 feet; thence run North 56 degrees 20 minutes 16 seconds East 20.00 feet; thence run South 33 degrees 39 minutes 44 seconds East 107.40 feet to the northwest corner of View Pointe, a subdivision as per map or plat thereof, recorded in Plat Book 12, Page 17 of said Public Records; thence leaving said southerly right of way, run South 54 degrees 01 minutes 23 seconds West along the northerly boundary of said subdivision, a distance of 1345.28 feet to the northerly right of way boundary of Old Bainbridge Road; thence run Northwesterly along said northerly right of way as follows: Northwesterly along a curve having a radius of 1151.42 feet, through a central angle 23 degrees 25

EXHIBIT "A"

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minutes 05 seconds, for an arc distance of 470.61 feet (the chord of said arc bears North 49 degrees 25 minutes 10 seconds West 467.34 feet; thence North 61 degrees 07 minutes 42 seconds West 465.15 feet to the southeast corner of that parcel of land described in the instrument recorded in Official Records Book 2832, Page 268 of said public records; thence leaving said northerly right of way, run North 28 degrees 54 minutes 01 seconds East along the southerly boundary of said parcel, a distance of 420.00 feet; thence run North 61 degrees 07 minutes 42 seconds West along the easterly boundary of said parcel, and a projection thereof, a distance of 294.83 feet to the northwest corner of that parcel of land described in the instrument recorded in Official Records Book 668, Page 48 of said public records; thence run South 28 degrees 54 minutes 01 seconds West along the northerly boundary of said parcel, a distance of 420.00 feet to an iron pipe marking the southwest corner of said parcel and lying on the northerly right of way boundary of Old Bainbridge Road; thence run Northwesterly along said northerly right of way boundary as follows: North 61 degrees 07 minutes 42 seconds West 483.68 feet to a point of curve to the left; thence run Northwesterly along said curve, through a central angle of 04 degrees 03 minutes 11 seconds, for an arc distance of 403.49 feet (the chord of said arc bears North 63 degrees 09 minutes 18 seconds West 403.41 feet); thence run North 65 degrees 10 minutes 53 seconds West 106.99 feet to the southeast corner of that parcel of land described in the instrument recorded in Official Records Book 1827, Page 187 of said public records; thence leaving said northerly right of way, run North 00 degrees 05 minutes 28 seconds East along the easterly boundary of said parcel, a distance of 701.06 feet to a concrete monument marking the southeast corner of the aforesaid Lakeside subdivision; thence continue North 00 degrees 05 minutes 28 seconds East along the easterly boundary of Lakeside subdivision, a distance of 40.77 feet; thence run North 47 degrees 13 minutes 58 seconds East along the southerly boundary of said Lakeside subdivision, a distance of 1,270.59 feet; thence leaving the southerly boundary of said Lakeside subdivision run South 48 degrees 06 minutes 12 seconds East 65.89 feet; thence run South 48 degrees 06 minutes 12 seconds East 65.89 feet; thence run South 33 degrees 42 minutes 16 seconds East 104.48 feet; thence run South 25 degrees 17 minutes 05 seconds East 46.52 feet; thence run South 66 degrees 58 minutes 48 seconds East 89.56 feet; thence run South 58 degrees 25 minutes 15 seconds East 38.53 feet; thence run South 39 degrees 21 minutes 58 seconds East 39.13 feet; thence run South 25 degrees 18 minutes 28 seconds East 37.93 feet; thence run South 44 degrees 45 minutes 12 seconds East 23.24 feet; thence run South 29 degrees 09 minutes 15 seconds East 33.19 feet; thence run South 19 degrees 14 minutes 36 seconds East 30.29 feet; thence run South 11 degrees 14 minutes 57 seconds West 83.46 feet; thence run South 20 degrees 34 minutes 02 seconds West 109.72 feet; thence run South 35 degrees 28 minutes 30 seconds West 48.71 feet; thence run South 33 degrees 12 minutes 11 seconds West 193.10 feet; thence run South 29 degrees 37 minutes 33 seconds West 57.06 feet; thence run South 18 degrees 17 minutes 51 seconds West 80.56 feet; thence run South 13 degrees 18 minutes 28 seconds West 37.59 feet; thence run South 05 degrees 31 minutes 55 seconds West 97.06 feet; thence run South 10 degrees 26 minutes 41 seconds West 41.42 feet; thence

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run South 19 degrees 20 minutes 51 seconds West 26.02 feet; thence run North 39 degrees 12 minutes 49 seconds East 31.43 feet; thence run North 57 degrees 28 minutes 57 seconds East 23.84 feet; thence run South 62 degrees 21 minutes 35 seconds East 39.84 feet; thence run South 46 degrees 50 minutes 05 seconds East 91.70 feet; thence run South 25 degrees 41 minutes 23 seconds East 105.37 feet; thence run South 03 degrees 43 minutes 05 seconds West 57.95 feet; thence run South 61 degrees 05 minutes 59 seconds East 379.50 feet; thence run South 89 degrees 10 minutes 21 seconds East 29.17 feet; thence run North 73 degrees 55 minutes 32 seconds East 343.10 feet; thence run South 16 degrees 04 minutes 46 seconds East 148.47 feet; thence run North 73 degrees 55 minutes 14 seconds East 5.11 feet; thence run northeasterly along a curve having a radius of 352.50 feet, through a central angle of 10 degrees 58 minutes 24 seconds, for an arc distance of 67.51 feet (the chord of said arc bears North 79 degrees 24 minutes 26 seconds East 67.41 feet); thence run North 06 degrees 43 minutes 54 seconds West 23.44 feet; thence run North 39 degrees 55 minutes 13 seconds East 313.21 feet; thence run North 52 degrees 12 minutes 19 seconds East 235.38 feet to the POINT OF BEGINNING, containing 78.14 acres, more or less.

EXHIBIT "A"

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November 26, 2004
Summerfield
Allen Nobles & Associates, Inc.
Project Number 4444.001

Summerfield PUD II, LLC

BEGIN at a concrete monument marking the northeast corner of Lakeside, a subdivision as per map or plat thereof recorded in Plat book 11, Page 26 of the Public Records of Leon County, Florida, said point lying on the southerly right of way boundary of State Road 63 (U.S. Highway 27) as per the Florida Department of Transportation Right of Way Map, Section Number 55010-2501, last dated July 12, 1962, and thence run Southeasterly along said southerly right of way as follows: South 42 degrees 56 minutes 18 seconds East 775.01 feet to a point of curve to the right; thence run Southeasterly along said curve having a radius of 11,359.20 feet, through a central angle of 01 degrees 20 minutes 36 seconds, for an arc distance of 266.30 feet; thence run South 48 degrees 28 minutes 52 seconds West 20.00 feet to a point lying on a curve concave southwesterly; thence run Southeasterly along said curve having a radius of 11,339.20 feet, through a central angle of 03 degrees 38 minutes 33 seconds, for an arc distance of 720.88 feet (the chord of said arc bears South 39 degrees 41 minutes 52 seconds East 720.76 feet); thence leaving said Southerly right of way, run South 52 degrees 12 minutes 19 seconds West 235.38 feet; thence run South 39 degrees 55 minutes 13 seconds West 313.21 feet; thence run South 06 degrees 43 minutes 54 seconds East 23.44 feet to a point lying on a curve concave southeasterly; thence run southwesterly along said curve having a radius of 352.50 feet, through a central angle of 10 degrees 58 minutes 24 seconds, for an arc distance of 67.51 feet (the chord of said arc bears South 79 degrees 24 minutes 26 seconds West 67.41 feet); thence run South 73 degrees 55 minutes 14 seconds West 5.11 feet; thence run North 16 degrees 04 minutes 46 seconds West 148.47 feet; thence run South 73 degrees 55 minutes 32 seconds West 343.10 feet; thence run North 89 degrees 10 minutes 21 seconds West 29.17 feet; thence run North 61 degrees 05 minutes 59 seconds West 379.50 feet; thence run North 03 degrees 43 minutes 05 seconds East 57.95 feet; thence run North 25 degrees 41 minutes 23 seconds West 105.37 feet; thence run North 46 degrees 50 minutes 05 seconds West 91.70 feet; thence run North 62 degrees 21 minutes 35 seconds West 39.84 feet; thence run South 57 degrees 28 minutes 57 seconds West 23.84 feet; thence run South 39 degrees 12 minutes 49 seconds West 31.43 feet; thence run North 19 degrees 20 minutes 51 seconds East 26.02 feet; thence run North 10 degrees 26 minutes 41 seconds East 41.42 feet; thence run North 05 degrees 31 minutes 55 seconds East 97.06 feet; thence run North 13 degrees 18 minutes 28 seconds East 37.59 feet; thence run North 18 degrees 17 minutes 51 seconds East 80.56 feet; thence run North 29 degrees 37 minutes 33 seconds East 57.06 feet; thence run North 33 degrees 12 minutes 11 seconds East 193.10 feet; thence run North 35 degrees 28 minutes 30 seconds East 48.71 feet; thence run North 20 degrees 34 minutes 02 seconds East 109.72 feet; thence run North 11 degrees 14 minutes 57 seconds East 83.46 feet; thence run North 19 degrees 14 minutes 36 seconds West 30.29 feet; thence run North 29 degrees 09 minutes 15 seconds West 33.19 feet; thence run North 44 degrees 45 minutes 12 seconds West 23.24 feet, thence run North 25 degrees 18 minutes 28 seconds West 37.93 feet; thence run North 39 degrees 21 minutes 58 seconds West 39.13 feet; thence run North 58 degrees 25 minutes 15 seconds West 38.53 feet; thence run North 66 degrees 58 minutes

48 seconds West 89.56 feet; thence run North 25 degrees 17 minutes 05 seconds West 46.52 feet; thence run North 33 degrees 42 minutes 16 seconds West 104.48 feet; thence run North 48 degrees 06 minutes 12 seconds West 65.89 feet to a point on the southerly boundary of the aforesaid Lakeside subdivision; thence run North 47 degrees 13 minutes 58 seconds East along the southerly boundary of said Lakeside subdivision, a distance of 366.04 feet to the POINT OF BEGINNING, containing 28.82 acres, more or less.

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EXHIBIT "A"

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The HNTB Corporation
Engineers Architects Planners

1315 E. Lafayette Street
Suite B
Tallahassee, FL 32301

Telephone (850) 878-9777
Facsimile (850) 878-3776
www.hntb.com

Brian Waterman
Department of Community Development
3401 West Tharpe Street
Tallahassee, FL 32303

HNTB

July 18, 2005

Re: Summerfield PUD - Intersection Cost Estimates (HNTB 40682)

Brian:

Robert Sellers has asked that HNTB Corporation prepare a traffic mitigation estimate for the Summerfield PUD impacts at the North Monroe/Fred George intersection. This estimate is to evaluate expenses related to the installation of mast arm traffic signals. This estimate is to determine the costs attributable to Summerfield beyond the expense of constructing the eastbound left turn lane improvement at this intersection which the developer has agreed to design and build.

The basis for estimation is the proportionate share of PM peak hour traffic at the intersection that will benefit from this improvement. The developer contends that the three traffic components used in the concurrency evaluation should also be used in determining this proportionate share.

The attached Figure 2 was extracted from the Summerfield Supplemental Traffic Analysis submitted July 22, 2004. It provides the existing traffic as measured by a developer financed turn movement count at the subject intersection during the pm peak hour. It also details the reserved trip volumes as provided by Leon County. Lastly, it indicates the estimated project traffic impacts from the trip generation and trip distribution submitted by the developer with his concurrency application.

The intersection volumes are: existing = 3,427 vehicles; reserved = 228 vehicles; and project trips = 306 vehicles for a total intersection impact of 3,961 vehicles. The percentage distribution is: existing = 86.5%, reserved = 5.8% and project = 7.7%. The latest Leon County transportation model output you supplied has the project impacts totaling only 255 trips for a total intersection volume of 3,910 of which the project comprises 6.5%. As this data was used by the County to determine concurrency impacts and proportionate share for intersection improvement costs, we believe it should also be used to calculate mast arm proportionate share expenses to be consistent.

In order to provide a fair market estimate of mast arm expense, HNTB contacted the City of Tallahassee Public Works Department for latest mast arm intersection fees. Based on the data supplied by the Traffic Engineering Department, in house mast arm intersection conversions cost from \$135,000 to \$150,000 depending on the number of masts required to support the four arms. This cost includes the signal heads, geo-technical analysis, traffic signal design plans, maintenance of traffic and everything associated with the conversion from wood or concrete strain-poles to a mast-arm installation.

They also stated that a consultant designed and constructed mast-arm signal installation costs about 15% - 20% more due to overhead and profit margins associated with private contractor/consultant business requirements. Therefore, the cost of mast arms at the North Monroe/Fred George intersection should be in the \$172,500 to \$180,000 range. Using the highest value of \$180,000 the 6.5% Summerfield proportionate share of that total is **\$11,700**.

If further consultation regarding this issue is required, please call me at my office (850) 878-9777 or on my cell phone (850) 508-5582 anytime during normal business hours.

Sincerely,

HNTB Corporation

Mike Hemmen

Mike Hemmen, AICP
Department Manager

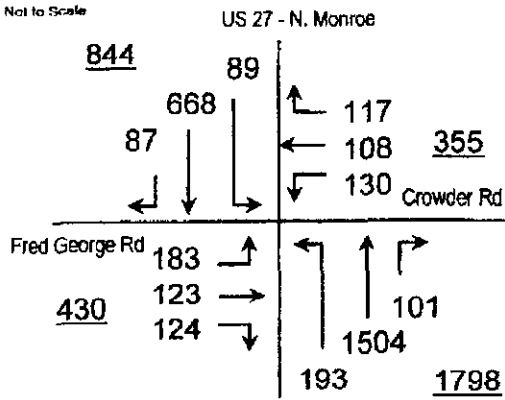
Attachments: Figure 2: Summerfield PUD TMC Data - North Monroe at Fred George
Leon County Model output North Monroe at Fred George July 12, 2005

Copy: Robert Sellers, P.E.
Project File 40682-PL-001

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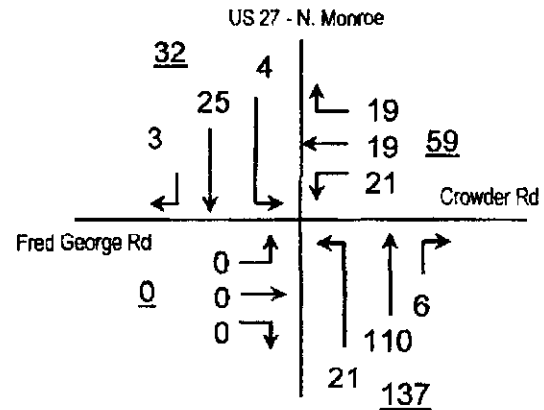


Not to Scale



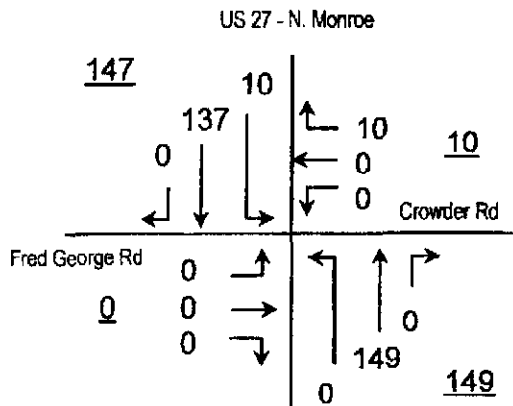
Data/Scenario: Existing PM Peak 7/1/2004

3,427 Total Vehicle Impacts (86.5%)



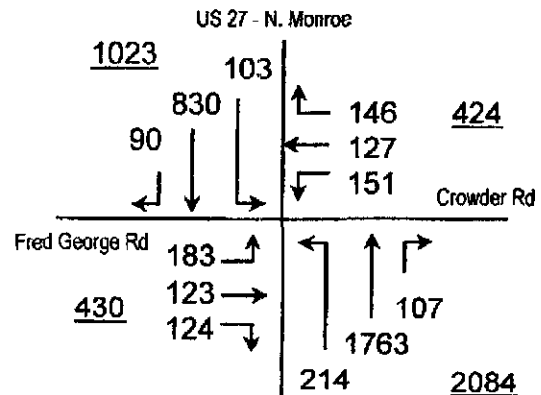
Data/Scenario: Leon County Reserved Trips (6/04)

228 Total Vehicle Impacts (5.8%)



Data/Scenario: Summerfield PM Peak Trip impacts

306 Total Vehicle Impacts (7.7%)



Data/Scenario: Total PM Peak Trips Analyzed

3,961 Total Vehicle Impacts (100%)

Intersection: US 27 (N. Monroe) at Fred George/Crowder Roads

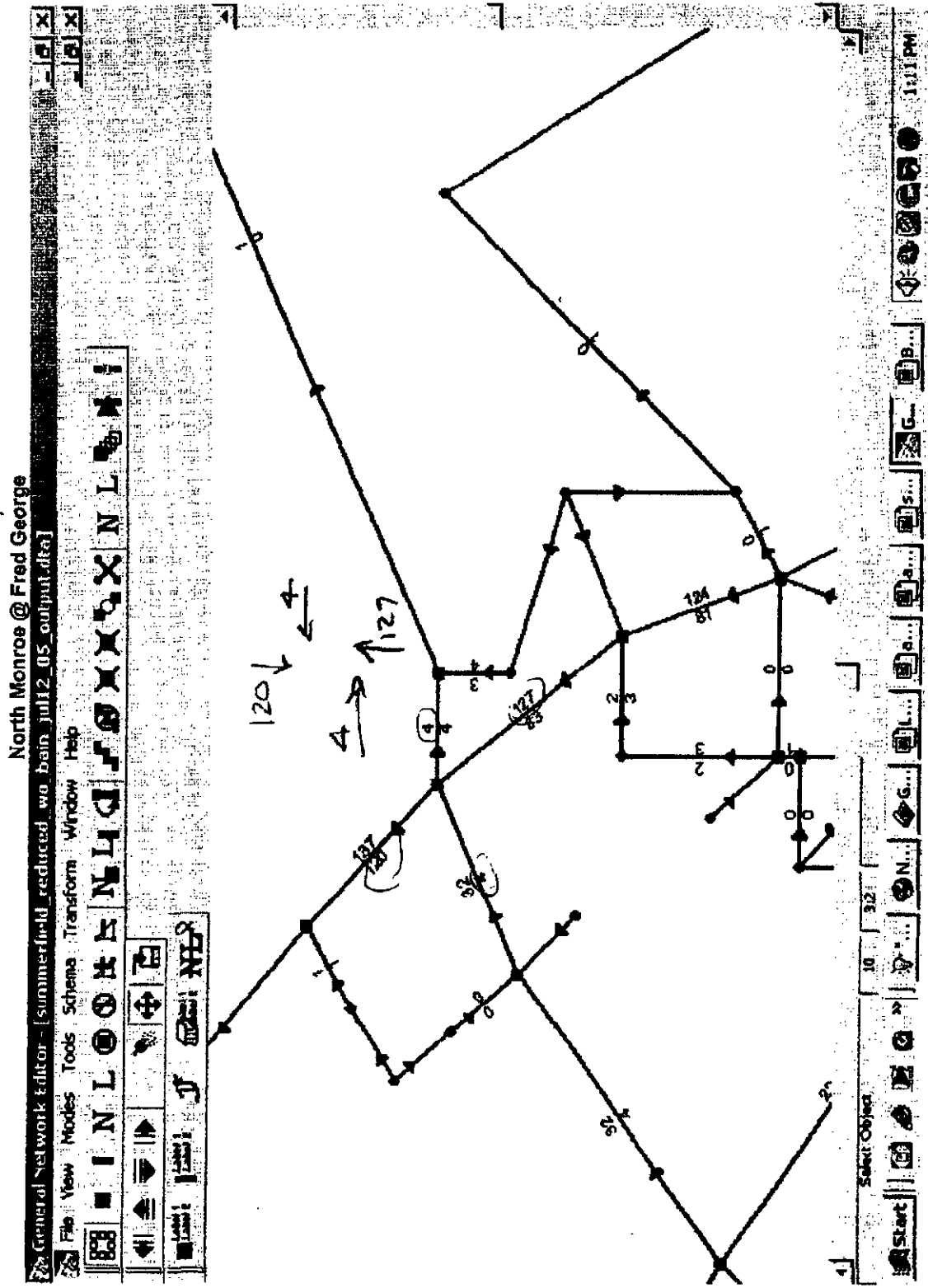
Summerfield PUD
Traffic Impact Analysis

TMC DATA
Existing, Reserved, Project

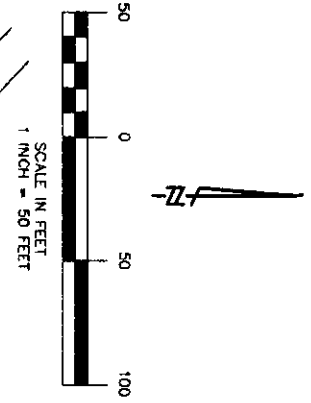
HNTB

Figure 2

SUMMERFIELD
 PROJECT TRIPS
 255



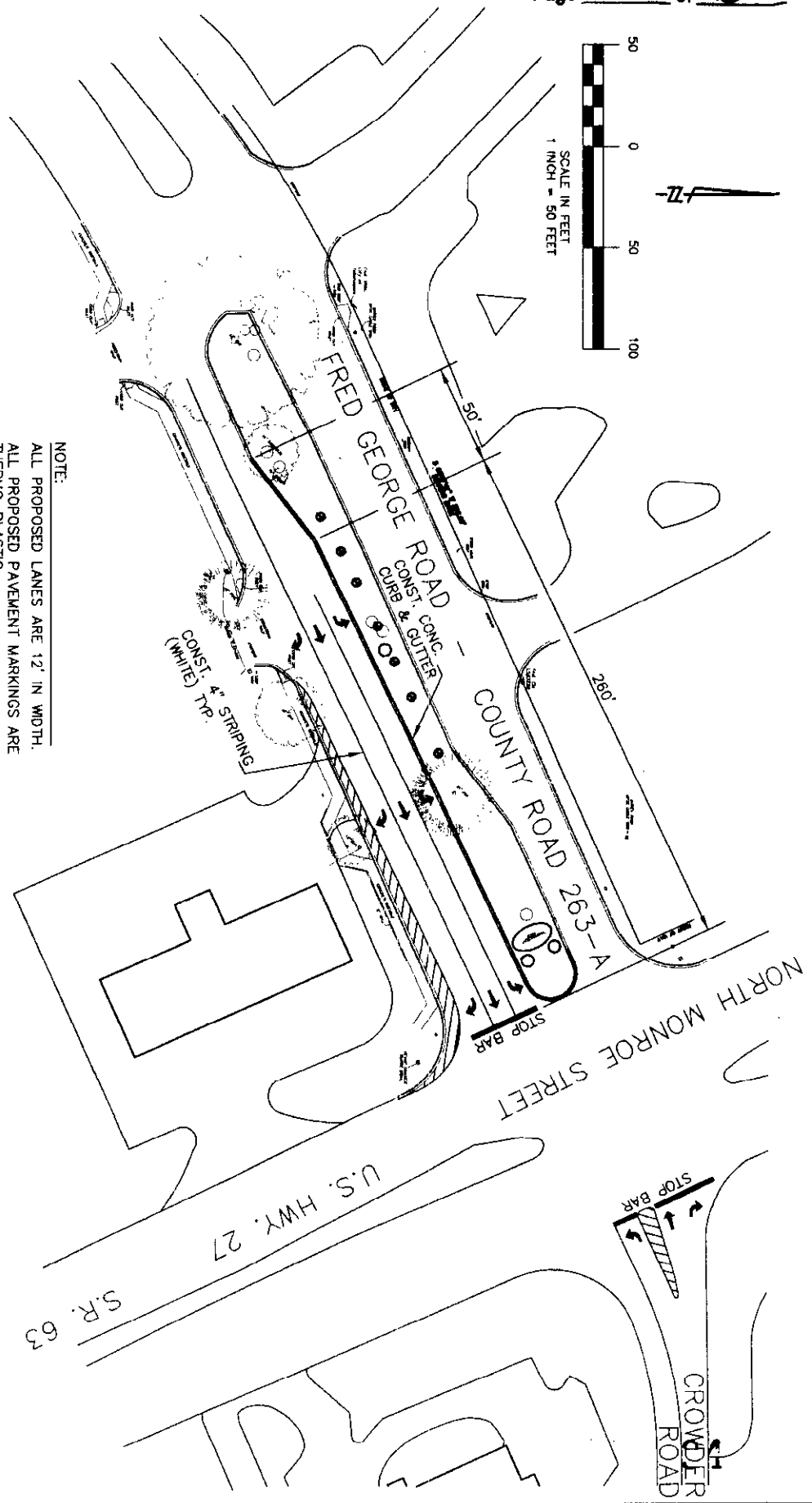
PROJECT MARKS
 120
 127
 255



NOTE:
 ALL PROPOSED LANES ARE 12' IN WIDTH.
 ALL PROPOSED PAVEMENT MARKINGS ARE
 THERMO-PLASTIC.
 ALL CONSTRUCTION AND MATERIALS SHALL
 COMPLY WITH THE FDOT STANDARD SPECI-
 FICATIONS FOR ROADWAY AND BRIDGE
 CONSTRUCTION, 2004.

- INDICATES RELOCATED CREPE MYRTLE
- INDICATES RELOCATED ROCK

EXHIBIT 'C'
 PLAN 1 OF 1



SHEET NO. 1 of 1	DATE: JUL 16, 2008 BY: RLS CHECKED BY: DESIGNED BY: SCALE: 1" = 50' DATE: JUL 16, 2008 DRAWN: CONCEPTUAL	REVISIONS	PROJECT NAME: FRED GEORGE ROAD ALIGNMENT	CLIENT NAME: SUMMERFIELD PUD, LLC	SHEET TITLE: CONCEPTUAL PROPOSED MITIGATION PLAN	Robert B. Sellers, P.E. REGISTERED PROFESSIONAL ENGINEER STATE OF FLORIDA LICENSE NO. 12345
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